

1 CAMPEAU GOODSELL SMITH
2 A Law Corporation
3 SCOTT L. GOODSELL, SBN 122223
4 440 N. First Street, Suite 100
5 San Jose, California 95112
(408) 295-9555

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7 Attorneys for Debtor

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9
10 UNITED STATES BANKRUPTCY COURT

11 FOR THE NORTHERN DISTRICT OF CALIFORNIA

12
13 In re:) Case No. 03-56788-ASW
14)
15 TELEPATH CORPORATION,) CHAPTER 11
16)
17) Date: March 20, 2009
18 Debtor.) Time: 2:00 p.m.
19) Court: Hon. Arthur S. Weissbrodt
20) 280 S. First Street, Courtroom 3020
21) San Jose, CA 95112

22
23 **BALLOTS AND BALLOT SUMMARIES**

24
25 DEBTOR hereby submits all ballots received, and ballots summaries prepared, with
26 respect to Confirmation of its proposed Plan of Reorganization.

27 DATED: March 17, 2009

CAMPEAU GOODSELL SMITH

28
29 By: /s/ Scott L. Goodsell
30 Scott L. Goodsell
31 Attorney for Debtor

TELEPATH CORPORATION

BALLOT SUMMARY: Secured Creditors (Class 1a)

	<u>Accept</u>	<u>Reject</u>
Les Ettinger	\$ 1,748,000.00	
TOTALS	(1) \$ 1,748,000.00	(0) \$ -0-
% Number	Accept 100%	Reject 0%
% Amounts	Accept 100 %	Reject 0%

UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

In re:) Case No. 03-56788-ASW
)
TELEPATH CORPORATION,) CHAPTER 11
)
)
Debtor.)
)

BALLOT FOR ACCEPTING OR REJECTING DEBTOR'S PLAN OF REORGANIZATION

Regarding the Debtor's Plan of Reorganization dated January 10, 2009:

The Plan referred to in this Ballot can be confirmed by the Court and thereby made binding on you if it is accepted by the holders of two-thirds in amount and more than one-half in number of claims in each class voting on the Plan, and the holders of two-thirds in amount of equity security interests in each class voting on the Plan. In the event the requisite acceptances are not obtained, the Court may nevertheless confirm the Plan if the Court finds that the Plan accords fair and equitable treatment to the class or classes rejecting it, and otherwise satisfies the requirements of §1129(b) of the Bankruptcy Code. To have your vote count, you must return this Ballot.

Mark applicable class:

- Class 1a (Secured Creditor Les Ettinger [Note])
 Class 1b (Admin. Creditor Les Ettinger [Rent])
 Class 1c (Admin. Creditor Les Ettinger [Loan])
 Class 2a (Priority Wage Claims)
 Class 2b (Priority Tax Claims)
 Class 3a (General Unsecured Claims)
 Class 3b (Administrative Convenience Claims)***
 Class 3c (Motorola)
 Class 4 (Equity Interests)

CHECK ONE BOX:

ACCEPTS



REJECTS



the PLAN OF REORGANIZATION of the above-named DEBTOR.

Creditor Name: Lester Ettinger

Signed By: Lester Ettinger

Address: PO Box 32222
San Jose, CA 95152-2222

Dated 3/10/09

Claim Amount: 1,748,000

*** By marking this box, you consent to treatment of your claim as provided for this special Class in the Plan.

TELEPATH CORPORATION

BALLOT SUMMARY: Chapter 11 Admin. Creditors (Class 1b)

	<u>Accept</u>	<u>Reject</u>
Les Ettinger	\$ 87,000.00	
TOTALS	(1) \$ 87,000.00	(0) \$ -0-
% Number	Accept 100%	Reject 0%
% Amounts	Accept 100 %	Reject 0%

UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

In re:) Case No. 03-56788-ASW
TELEPATH CORPORATION,)
Debtor.) CHAPTER 11
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 Class 1b (Admin. Creditor Les Ettinger [Rent])
 Class 1c (Admin. Creditor Les Ettinger [Loan])
 Class 2a (Priority Wage Claims)
 Class 2b (Priority Tax Claims)
 Class 3a (General Unsecured Claims)
 Class 3b (Administrative Convenience Claims)***
 Class 3c (Motorola)
 Class 4 (Equity Interests)

CHECK ONE BOX:

ACCEPTS



REJECTS



the PLAN OF REORGANIZATION of the above-named DEBTOR.

Creditor Name: Lester Ettinger

Signed By: Lester Ettinger

Address: PO Box 32222
San Jose, CA 95152-2222

Dated 3-10-2009

Claim Amount: \$87000

*** By marking this box, you consent to treatment of your claim as provided for this special Class in the Plan.

TELEPATH CORPORATION

BALLOT SUMMARY: Chapter 11 Admin. Creditors (Class 1c)

	<u>Accept</u>	<u>Reject</u>
Les Ettinger	\$ 78,000.00	
TOTALS	(1) \$ 78,000.00	(0) \$ -0-
% Number	Accept 100%	Reject 0%
% Amounts	Accept 100 %	Reject 0%

UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

In re:) Case No. 03-56788-ASW
TELEPATH CORPORATION,) CHAPTER 11
Debtor.)

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Mark applicable class

- Class 1a (Secured Creditor Les Ettinger [Note])
 - Class 1b (Admin. Creditor Les Ettinger [Rent])
 - Class 1c (Admin. Creditor Les Ettinger [Loan])
 - Class 2a (Priority Wage Claims)
 - Class 2b (Priority Tax Claims)
 - Class 3a (General Unsecured Claims)
 - Class 3b (Administrative Convenience Claims)***
 - Class 3c (Motorola)
 - Class 4 (Equity Interests)

CHECK ONE BOX:

ACCEPTS



REJECTS



the PLAN OF REORGANIZATION of the above-named DEBTOR.

Creditor Name: Lester Ettlinger

Signed By: John Ester

Address: PO Box 32222
San Jose, CA 95152-2222

Dated 3-10-2009

Claim Amount: 7800

**** By marking this box, you consent to treatment of your claim as provided for this special Class in the Plan.*

TELEPATH CORPORATION

BALLOT SUMMARY: Priority Wage Claims (Class 2a)

Accept

Reject

CLASS NOT IMPAIRED

TELEPATH CORPORATION

BALLOT SUMMARY: Priority Tax Claims (Class 2b)

Accept

Reject

CLASS NOT IMPAIRED

TELEPATH CORPORATION**BALLOT SUMMARY: General Unsecured Creditors (Class 3a)**

	<u>Accept</u>	<u>Reject</u>
All Temperature Service	\$ 136.00 **	
Chet Ettinger	\$ 629.79 **	
LAN Logic	\$ unknown	
OTTO Engineering	\$ 3,928.86	
Telewave	\$ 1,122.08 **	
 TOTALS	 (4) \$	 (0) \$ -0-
% Number	Accept	100%
% Amounts	Accept	100 %
	Reject	0%
	Reject	0%

** amounts listed per Schedules filed 11/7/03

1 of 2

**UNITED STATES BANKRUPTCY COURT
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 ____ Class 2b (Priority Tax Claims)
 Class 3a (General Unsecured Claims)
 ____ Class 3b (Administrative Convenience Claims)***
 ____ Class 3c (Motorola)
 ____ Class 4 (Equity Interests)

CHECK ONE BOX:

ACCEPTS



REJECTS



the PLAN OF REORGANIZATION of the above-named DEBTOR.

Creditor Name: All Temperature Service AirCond.

Signed By: Dale G. Lowder

Address: 773 Ames Ave.

Milpitas, CA 95035

Dated 03-16-09

Claim Amount: ?

*** By marking this box, you consent to treatment of your claim as provided for this special Class in the Plan.

**UNITED STATES BANKRUPTCY COURT
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 ____ Class 3b (Administrative Convenience Claims)***
 ____ Class 3c (Motorola)
 ____ Class 4 (Equity Interests)

CHECK ONE BOX:

ACCEPTS



REJECTS



the PLAN OF REORGANIZATION of the above-named DEBTOR.

Creditor Name: CHET ETTINGER

Signed By: Chet Ettinger

Address: 1770 WICKHAM ROAD

SAN JOSE, CA. 95132

Dated 3/16/09

Claim Amount: 2

*** By marking this box, you consent to treatment of your claim as provided for this special Class in the Plan.

UNITED STATES BANKRUPTCY COURT
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____ Class 2b (Priority Tax Claims)
 Class 3a (General Unsecured Claims)
____ Class 3b (Administrative Convenience Claims)***
____ Class 3c (Motorola)
____ Class 4 (Equity Interests)

CHECK ONE BOX:

ACCEPTS



REJECTS



the PLAN OF REORGANIZATION of the above-named DEBTOR.

Creditor Name: LANLOGIC INC

Signed By: [Signature]

Address: 248 RICKENBACKER CR
LIVERMORE CA 94551

Dated 3-16-09

Claim Amount: _____

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_____ Class 2b (Priority Tax Claims)
X Class 3a (General Unsecured Claims)
_____ Class 3b (Administrative Convenience Claims)***
_____ Class 3c (Motorola)
_____ Class 4 (Equity Interests)

CHECK ONE BOX:

ACCEPTS

REJECTS

the PLAN OF REORGANIZATION of the above-named DEBTOR.

Creditor Name: OTTO Engineering, Inc.

Signed By:

Address: 2 East Main St.

Carpentersville, IL 60110

Dated 03/03/09

Claim Amount: \$3,928.86

*** By marking this box, you consent to treatment of your claim as provided for this special Class in the Plan.

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**UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

In re:) Case No. 03-56788-ASW
TELEPATH CORPORATION,) CHAPTER 11
Debtor.)

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CHECK ONE BOX:

ACCEPTS



REJECTS



the PLAN OF REORGANIZATION of the above-named DEBTOR

Creditor Name: FELLEWAVE TNG

Signed By: James L. Collins

Address: 360 SICTURE COURT

SAN JOSE CA 95133

Dated 3-16-09

Claim Amount: ?

**** By marking this box, you consent to treatment of your claim as provided for this special Class in the Plan.*

TELEPATH CORPORATION

BALLOT SUMMARY: Administrative Convenience Creditors (Class 3b)

	<u>Accept</u>	<u>Reject</u>
Assured Fire Extinguisher	\$ 134.99	
TOTALS	(1) \$ 134.99	(0) \$ -0-
% Number	Accept 100%	Reject 0%
% Amounts	Accept 100 %	Reject 0%

UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

In re:) Case No. 03-56788-ASW
TELEPATH CORPORATION,) CHAPTER 11
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 Class 3b (Administrative Convenience Claims)***
_____ Class 3c (Motorola)
_____ Class 4 (Equity Interests)

CHECK ONE BOX:

ACCEPTS



REJECTS



the PLAN OF REORGANIZATION of the above-named DEBTOR.

Creditor Name: Assured Fire Extinguisher
Signed By: Do Suntana
Address: 1025 Lone Palm Ave. #1G
Modesto, CA 95351

Dated 2-20-09

Claim Amount: \$134.99

*** By marking this box, you consent to treatment of your claim as provided for this special Class in the Plan.

Case: 03-56788 Doc# 388 Filed: 03/17/09 Entered: 03/17/09 16:51:19 Page 17 of

TELEPATH CORPORATION

BALLOT SUMMARY: Motorola Creditor (Class 3c)

Accept

Reject

CLASS NOT IMPAIRED

TELEPATH CORPORATION

BALLOT SUMMARY: Equity Interests (Class 4)

Accept

Reject

CLASS DEEMED REJECTED

1 CAMPEAU GOODSELL SMITH
2 A Law Corporation
3 SCOTT L. GOODSELL, SBN 122223
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10 UNITED STATES BANKRUPTCY COURT

11 FOR THE NORTHERN DISTRICT OF CALIFORNIA

12 In re:) Case No. 03-56788-ASW
13 TELEPATH CORPORATION,)
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15)
16) Date: March 20, 2009
17 Debtor.) Time: 11:00 a.m.
18) Court: Hon. Arthur S. Weissbrodt
19) 280 S. First Street, Courtroom 3020
20) San Jose, CA 95112

21 **BALLOTS AND BALLOT SUMMARIES**

22 DEBTOR hereby submits all ballots received, and ballots summaries prepared, with
23 respect to Confirmation of its proposed Plan of Reorganization.

24 DATED: March 17, 2009

CAMPEAU GOODSELL SMITH

25 By: /s/ Scott L. Goodsell
26 Scott L. Goodsell
27 Attorney for Debtor